December 30 2009

Ed Smith CLERK OF THE SUPREME COURT STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0581

STATE OF MONTANA,

v.

Plaintiff and Appellee,

DEC 3 0 2009

Ed Smith CLERK OF THE SUPREME COURT

SUMMER LEE MANYWHITEHORSES,

Defendant and Appellant.

MOTION FOR EXTENSION OF TIME

COMES NOW, Eli M. Parker, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until February 1, 2010, in which to prepare, file, and serve the Appellant's brief in the above-entitled matter. Opposing counsel has been contacted concerning this motion and does not object. DATED this 30 day of December, 2009.

> OFFICE OF THE STATE PUBLIC DEFENDER Region 2 – Missoula 610 North Woody Missoula, MT 59802

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: December 30, 2009